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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,236	03/04/2002	Christine Dingivan	10271-053	7180
20583	7590	03/09/2006	EXAMINER	
JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			GAMBEL, PHILLIP	
			ART UNIT	PAPER NUMBER
			1644	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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10/091236

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

1644

03062006

DATE MAILED:

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Commissioner for Patents

The reply filed on 12/12/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):.

Applicant's election of Group I and to prosecute the species wherein the alphavbeta3 antagonist is VITAXIN / anti-alphavbeta3 antibody and the TNF--alpha antagonist is REMICADE / anti-TNF-alpha antibody is acknowledged.

However, applicant's election is not fully responsive to the previous Restriction / Species Election in that applicant was invited to elect a particular inflammatory or autoimmune disease.

As indicated in the previous Restriction Requirement, mailed 10/11/05,

if applicant elects Group I, AND a species from Section 7;

this application contains claims directed to the following patentably distinct species of the claimed invention of Group I: wherein the inflammatory or autoimmune disorder is selected from those recited in claims 46-47 or pages 42-43 of the instant specification.

These inflammatory and autoimmune disorders differ in etiologies and therapeutic endpoints. Therefore, they are patentably distinct.

Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable

The examiner apologizes for any inconvenience to applicant in this matter.

Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel whose telephone number is (571) 272-0844. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (571) 272-0841. The fax number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phillip Gambel, Ph.D., J.D.

Primary Examiner

Technology Center 1600

March 6, 2006

A handwritten signature in black ink that reads "Phillip Gambel". The signature is written in a cursive, flowing style with a long horizontal line extending to the right.